

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 24, 2006

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Rothschild, J., Jackson, J.
(Assigned) and, S. Stahl, Deputy Clerk.

Each of the following:

B180930	People v. Torres
B182288	People v. Sledge, Cooks, Kimble, Quinn
B184093	People v. Carter
B184273	People v. Diaz
B184491	People v. Jacobs
B186663	People v. Bay
B187331	People v. Carter
B187904	People v. Moppin & Smith
B188121	People v. Morris
B188367	People v. Mba
B188408	People v. Eric S.
B189621	DCFS v. Marilyn U.
B189681	People v. Richardson
B189917	DCFS v. Julieta L.
B192596	Meta M. v. SCLA (DCFS, rpi)
B193001	Zane S. v. SCLA (DCFS, rpi)

Argument waived, cause submitted.

DIVISION ONE (Continued)

B185487 People
 v.
 Brown

Merits:

Argued by Matthew D. Alger for appellant and respondent waived oral argument. Cause submitted.

Rothschild, J. leaves the bench.

B186596 People
 v.
 Legras

Merits:

Argued by Kevin D. Sheehy for appellant and by Taylor Nguyen, Deputy Attorney General, for respondent. Cause submitted.

B181574 People
 v.
 Green-Davis

Merits:

Argued by Stephen M. Lathrop for appellant and by Bill Bilderback, Deputy Attorney General, for respondent. Cause submitted.

B184179 People
 v.
 Ling

Merits:

Argued by John R. Blanchard for appellant and by Tita Nguyen, Deputy Attorney General, for respondent. Cause submitted.

DIVISION ONE (Continued)

B185364 Mehta et al.
 v.
 Metropolitan Life Insurance Company

Merits:
Argued by Patricia A. Moore for appellants and by Margaret Levy for respondent. Cause submitted.

Rothschild, J. returns to bench.

Jackson, J. (assigned) leaves the bench.

B175888 People v. Castellanos
B181286 In re Castellanos on Habeas Corpus

Merits:
Argued by Kevin D. Sheehy for appellant and by David A. Wildman, Deputy Attorney General, for respondent. Cause submitted.

Rothschild, J. leaves the bench.

Jackson, J. (assigned) returns to the bench.

B184513 California Podiatric Medical Association et al.
 v.
 Kaiser Foundation Hospitals, Inc. et al.

Merits:
Argued by Keith Greer for appellants and by Thomas E. Hill for respondents. Cause submitted.

DIVISION ONE (Continued)

B183206 Chernuchin et al.
v.
Associated Indemnity Corporation et al.

Merits:

Argued by Greg K. Hafif for appellants and by Asim K. Desai for respondents. Cause submitted.

B188997 Ferrer
v.
Preston

Merits:

Argued by Joseph D. Schleimer for appellant and by Robert M. Dudnik for respondent. Cause submitted.

B186235 Baber et al.
v.
Quizno's et al.

Merits:

Argued by Al Mohajerian for respondents and by Leonard H. MacPhee for appellants. Cause submitted.

Court adjourned.

B188564 Brian Carey
v.
Raymond Carey

Filed order modifying opinion. (No change in the judgment)

DIVISION TWO

B190729 Los Angeles County, D.C.S. (Not for Publication)

v.

Jodi H.

The order terminating Mother's parental rights as to G.U.A. and M.J.A. is affirmed.

Doi Todd, J.

We concur: Boren, P.J.

Chavez, J.

B188762 Los Angeles County, D.C.S. (Not for Publication)

v.

Allen F.

The order denying Father's section 388 petition is affirmed.

Doi Todd, J.

We concur: Boren, P.J.

Ashmann-Gerst, J.

B187754 Galdjie

v.

Moses

Filed order denying petition for rehearing.

DIVISION THREE

B192456 Leticia F. (Not for Publication)
v.
Superior Court, Los Angeles County, (DCFS, r.p.i.)

Mother's petition is denied. No costs are awarded.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION FOUR

B188148 Brazil (Not for Publication)
v.
Vallone et al.

The judgment (order granting the section 21320 application) is reversed and the matter is remanded to the probate division to enter an order denying the application. Costs on appeal are awarded to appellants.

Suzukawa, J.

We concur: Willhite, Acting P.J.
Manella, J.

B184272 550 North Brand Owner's Corporation (Not for Publication)
v.
Fireman's Fund Insurance Company

The order denying judgment notwithstanding the verdict is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

DIVISION FOUR (Continued)

B182874 Hampton (Not for Publication)

v.
Paul

The appeal of the denial of appellant's new trial motion is dismissed. The order is otherwise affirmed. The request for sanctions is denied. Respondent is to have his costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

B182336 People (Not for Publication)

v.
Collins, III

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

B185935 People (Not for Publication)

v.
Bates

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

DIVISION FOUR (Continued)

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The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

B181219 People (Not for Publication)
v.
Lopez et al.

The judgments are affirmed.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

B186687 People (Certified for Partial Publication)
v.
Grandy

For the reasons explained in this opinion (see pt. F.1., *ante*), the judgment is reversed with respect to appellant’s sentence, and the matter is remanded to the trial court for further proceedings in accordance with this opinion. In all other respects, the judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

DIVISION FIVE

B182881 Michael Dubelko et al (Not for Publication)

v.

Kenneth Abdalla et al

The judgment is affirmed. Sullivan & Cromwell's cross-appeal is dismissed. Respondents to recover costs on appeal.

Armstrong, J.

I concur: Turner, P.J.

I concur: Mosk, J. (opinion)

DIVISION SIX

B188945 People (Not for Publication)

v.

Enos

The abstract of judgment is modified to omit reference to the section 667.5, subdivision (b) enhancements, and to reflect a total of 983 days of presentence credits, consisting of 855 days of actual custody credit and 128 days of good time/work time credit. The clerk of the superior court is ordered to prepare and forward an amended abstract of judgment to the Department of Corrections. As so modified, the judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.

Coffee, J.

DIVISION SIX (Continued)

B183628 Metric Construction Company, Inc. (Not for Publication)
v.
Allianz Global Risks US Insurance Company

The judgment is affirmed. Costs are awarded to respondent.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION EIGHT

B183291 People (Not for Publication)
v.
Burton

The judgment is reversed as to count 4 (stalking), and the trial court is directed to enter a judgment of acquittal on that count. The remainder of the judgment is affirmed. The sentence on count 4 is stricken, and the trial court is directed to prepare and provide to the Department of Corrections and Rehabilitation an amended abstract of judgment reflecting the disposition of the count and its sentence.

Cooper, P.J.

We concur: Boland, J.
 Flier, J.

DIVISION EIGHT (Continued)

B179546 Harman (Not for Publication)
v.
Harman

The judgment is reversed and the cause is remanded for a further hearing in accordance with this decision. Wife is awarded costs on appeal.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.

B184924 People (Not for Publication)
v.
Brownlee

The judgment is reversed.

Boland, J.

We concur: Cooper, P.J.
Flier, J.

[illegible]

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.